

**RECESSED MEETING
MAY 20, 1998**

The Ashland Board of Commissioners met in Recessed Session in the Commission Chambers, City Building, Ashland, Kentucky, on Wednesday, May 20, 1998, at the hour of 7:00 PM.

Those present were Commissioners: Norman "Dutch" Berry, Kevin Gunderson, Paul Reeves and Mayor A. R. Dunnigan, who presided. Absent: Commissioner Michael Stewart. Also present were: William H. Fisher, Jr., City Manager; Richard W. Martin, Corporation Counsel; Kevin P. Sinnette, Assistant Corporation Counsel; Deborah D. Musser, City Clerk; Gary Watts, Fire Chief; Tom Kelley, Acting Chief of Police; Tony Grubb, Finance Director; Joseph P. Harris, Director of Public Services; Amanda Sinnette, Economic Development Director; Marion Russell, Assistant Director of Public Services; Bruce Craft, Recreation Division; Bill Ramsdell, Political Candidate and Reporters.

The Invocation was given by Commissioner Reeves.

The Pledge of Allegiance was conducted.

AGENDA

City Manager Fisher presented the agenda of May 20, 1998. Motion was made by Reeves, seconded by Gunderson, to receive and file the agenda. Upon roll call, voting aye were Commissioners Berry, Reeves, Gunderson and Mayor Dunnigan. Nay - none. Motion passed.

MINUTES

Motion was made by Berry, seconded by Reeves, to dispense with the reading and approve the minutes of the Regular Meetings held on Marcy 19, April 2 and April 16, 1998. Upon roll call, voting aye were Commissioners Berry, Reeves, Gunderson and Mayor Dunnigan. Nay - none. Motion passed.

HEARINGS AND REPORTS

City Manager's Report -

- (1) Ashland Cemetery submitted a schedule of memorial activities planned for the holiday weekend which include a memorial service at 11:00 AM on Monday. Motion was made by Gunderson, seconded by Reeves, to approve the activities. Upon roll call, voting aye were Commissioners Berry, Reeves, Gunderson and Mayor Dunnigan. Nay - none. Motion passed.
- (2) Bruce Craft requested approval to extend hours on the baseball field in Central Park for the 4th of July tournament. Motion was made by Berry, seconded by Gunderson, to approve the request. Upon roll call, voting aye were Commissioners Berry, Reeves, Gunderson and Mayor Dunnigan. Nay - none. Motion passed.
- (3) Commissioners were reminded of the annual cookout at Dawson Park scheduled for May 21 from 11:00 AM - 1:00 PM.

PUBLIC PARTICIPATION

RECESSED MEETING MAY 20, 1998
ORDINANCE NO. 50, 1998

ORDINANCE NO. 50, 1998

SECOND AN ORDINANCE OF THE CITY OF ASHLAND,
READING KENTUCKY, AUTHORIZING A. R.
DUNNIGAN, **AND** MAYOR, TO EXECUTE AN
AGREEMENT WITH BILL **FINAL** SPARKS FOR THE
INSTALLATION OF A WATER LINE **ADOPTION**
EXTENSION OUTSIDE THE CITY LIMITS ON
BROWNHILL DRIVE.

* * * * *

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That A. R. Dunnigan, Mayor of the City of Ashland, Kentucky be and is hereby authorized to execute an agreement between the City of Ashland, Kentucky, and Bill Sparks for the installation of a water line extension outside the city limits on Brownhill Drive for the Department of Public Services. A copy of said agreement is attached hereto and made a part hereof by reference.

SECTION 2. All ordinances of the City of Ashland and any parts of ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 3. This ordinance shall be in full force and effect from and after its adoption, readoption and publication, as required by law.

SECTION 4. It is hereby authorized that publication of this ordinance be in summary form.

/s/A. R. DUNNIGAN
MAYOR

ATTEST:

/s/DEBORAH D. MUSSER
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: May 7, 1998
READOPTED BY THE BOARD OF COMMISSIONERS: May 20, 1998
PUBLISHED:

MOTION:

Motion was made by Reeves, seconded by Berry, to adopt Ordinance No. 50, 1998, at this its second reading. Upon roll call, voting aye were Commissioners Berry, Reeves, Gunderson and Mayor Dunnigan. Nay - none. Motion passed.

ORDINANCE NO. 51, 1998

SECOND AN ORDINANCE OF THE CITY OF ASHLAND,
READING KENTUCKY, AUTHORIZING A. R.
DUNNIGAN, **AND** MAYOR, TO EXECUTE A
CONTRACT WITH **FINAL** SOUTHERN OHIO
TRENCHING & EXCAVATING, INC. **ADOPTION**

RECESSED MEETING MAY 20, 1998
ORDINANCE NO. 51, 1998 CONTINUED

SECTION 1. That A. R. Dunnigan, Mayor of the City of Ashland, Kentucky be and is hereby authorized to execute a contract between the City of Ashland, Kentucky, and Southern Ohio Trenching & Excavating, Inc. for the Storm Sewer System Improvements - Phase III - 31st Street to 35th Street for the Department of Planning and Community Development in an amount not to exceed \$177,270.00. A copy of said contract is attached hereto and made a part hereof by reference.

SECTION 2. All ordinances of the City of Ashland and any parts of ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 3. This ordinance shall be in full force and effect from and after its adoption, readoption and publication, as required by law.

SECTION 4. It is hereby authorized that publication of this ordinance be in summary form.

/s/A. R. DUNNIGAN
MAYOR

ATTEST:

/s/DEBORAH D. MUSSER
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: May 7, 1998
READOPTED BY THE BOARD OF COMMISSIONERS: May 20, 1998
PUBLISHED:

MOTION:

Motion was made by Reeves, seconded by Berry, to adopt Ordinance No. 51, 1998, at this its second reading. Upon roll call, voting aye were Commissioners Berry, Reeves, Gunderson and Mayor Dunnigan. Nay - none. Motion passed.

ORDINANCE NO. 52, 1998

SECOND AN ORDINANCE OF THE CITY OF ASHLAND,
READING KENTUCKY, AUTHORIZING AND
DIRECTING A. R. **AND** DUNNIGAN, MAYOR,
TO EXECUTE A CONTRACT **FINAL** WITH
STEPHENS CONTRACTING, INC. D/B/A **ADOPTION**
STEPHENS HAULING FOR THE REMOVAL AND
DISPOSAL OF SLUDGE FOR A PERIOD OF THREE
YEARS FOR THE CITY OF ASHLAND, DEPARTMENT
OF PUBLIC SERVICES, DIVISION OF WASTEWATER
TREATMENT AT THE PRICES SPECIFIED IN THEIR
BID.

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BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

/s/A. R. DUNNIGAN
MAYOR

RECESSED MEETING MAY 20, 1998
ORDINANCE NO. 52, 1998 CONTINUED

ATTEST:

/s/DEBORAH D. MUSSER
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: May 7, 1998
READOPTED BY THE BOARD OF COMMISSIONERS: May 20, 1998
PUBLISHED:

MOTION:

Motion was made by Reeves, seconded by Gunderson, to adopt Ordinance No. 52, 1998, at this its second reading. Upon roll call, voting aye were Commissioners Berry, Reeves, Gunderson and Mayor Dunnigan. Nay - none. Motion passed.

ORDINANCE NO. 53, 1998

SECOND AN ORDINANCE OF THE CITY OF ASHLAND,
READING KENTUCKY, AMENDING INJURIES AND
ACCIDENTS **AND** OCCURRING DURING
COURSE OF EMPLOYMENT **ADOPTION**
(WORKERS' COMPENSATION) SECTION OF
THE **ONLY** "PERSONNEL POLICIES AND
PROCEDURES" AS ADOPTED BY ORDINANCE NO. 25,
SERIES OF 1991 AND PREVIOUSLY AMENDED BY
ORDINANCE NO. 96, SERIES OF 1992 AND
ORDINANCE NO. 156, SERIES OF 1997.

* * * * *

BE IT ORDAINED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. That the Injuries and Accidents Occurring During Course of Employment (Workers' Compensation) Section of the "Personnel Policies and Procedures" as adopted by Ordinance No. 25, series of 1991, and previously amended, being an ordinance entitled, "AN ORDINANCE OF THE CITY OF ASHLAND, KENTUCKY, UPDATING PERSONNEL POLICIES AND PROCEDURES, COMPENSATION PLAN AND CLASSIFICATION PLAN FOR THE CITY OF ASHLAND, KENTUCKY AND REPEALING ORDINANCE NO. 32, SERIES OF 1984, ORDINANCE NO. 72, SERIES OF 1984, ORDINANCE NO. 132, SERIES OF 1984, ORDINANCE 83, SERIES OF 1984, ORDINANCE NO. 66, SERIES OF 1985, ORDINANCE NO. 85, SERIES OF 1985 AND ORDINANCE NO. 113, SERIES OF 1987 AND ALL AMENDMENTS THERETO", be and said section is hereby amended. A copy of said amendment is attached hereto and made a part hereof by reference.

SECTION 2. All other ordinances and parts of ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed.

SECTION 3. This ordinance shall be in full force and effect from and after

ADOPTED BY THE BOARD OF COMMISSIONERS: May 7, 1998
READOPTED BY THE BOARD OF COMMISSIONERS: May 20, 1998
PUBLISHED:

RECESSED MEETING MAY 20, 1998
ORDINANCE NO. 53, 1998 CONTINUED

MOTION:

Motion was made by Reeves, seconded by Gunderson, to adopt Ordinance No. 53, 1998, at this its second reading. Upon roll call, voting aye were Commissioners Berry, Reeves, Gunderson and Mayor Dunnigan. Nay - none. Motion passed.

RESOLUTION NO. 14, 1998

A RESOLUTION OF THE CITY OF ASHLAND, KENTUCKY, ADOPTING, AUTHORIZING AND APPROVING THE COURSE OF ACTION RECOMMENDED BY THE CITY MANAGER ON THE ITEMS APPEARING ON THE CONSENT AGENDA FOR THE REGULAR MEETING OF THE BOARD OF CITY COMMISSIONERS OF **MAY 20, 1998.**

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BE IT RESOLVED BY THE CITY OF ASHLAND, KENTUCKY:

SECTION 1. The Board of City Commissioners hereby adopts, authorizes and approves the action recommended by the City Manager on each item appearing on the "Consent Agenda" for the meeting of **May 20, 1998.** Attached hereto and incorporated herein, as if set out in full, is a copy of the "Consent Agenda" hereby adopted, authorized and approved.

SECTION 2. This resolution shall be in full force and effect from and after its adoption, as required by law.

/s/A. R. DUNNIGAN
MAYOR

ATTEST:

/s/DEBORAH D. MUSSER
CITY CLERK

ADOPTED BY THE BOARD OF COMMISSIONERS: May 20, 1998

MOTION:

Motion was made by Reeves, seconded by Berry, to adopt Resolution No. 14, 1998. Upon roll call, voting aye were Commissioners Berry, Reeves, Gunderson and Mayor Dunnigan. Nay - none. Motion passed.

ORDINANCE NO. _____, 1998

Motion was made by Gunderson, seconded by Reeves, to adopt Ordinance No. _____, 1998 at this its first reading. Upon roll call, voting aye were Commissioners Berry, Reeves, Gunderson and Mayor Dunnigan. Nay - none. Motion passed.

RECESSED MEETING MAY 20, 1998

DISCUSSION ITEMS

DISCUSSION ITEMS

Request for limited use of public right-of-way by Dr. Timothy S. Hart, M.D. of Bluegrass Family Medicine at 2025 Carter Avenue - Motion was made by Reeves, seconded by Gunderson, authorizing the preparation of an ordinance. Upon roll call, voting aye were Commissioners Berry, Reeves, Gunderson and Mayor Dunnigan. Nay - none. Motion passed.

Request by Nikki Thomas to conduct a Youth Festival on August 7, 1998 at the Central Park Bandstand and to conduct food, drink and jewelry sales - Nikki Thomas, 1520 Chestnut Drive, President of the Tri-State Youth Pastor's Association, appeared before the Commission to request approval for sales at the youth rally scheduled for the Bandstand on August 7, 1998, to pay for expenses. After discussion, a suggestion was made about use of the Riverfront since sales are not allowed in Central Park and an ordinance prohibits temporary sales. Ms. Thomas was instructed to call the City Manager's office to schedule an appointment with him and the Corporation Counsel to discuss the request.

APPOINTMENT

Motion was made by Reeves, seconded by Berry, approving the Mayor's appointment of Nadine Parsley to the Ashland Housing Authority Board for a four-year term beginning May 28, 1998 and expiring May 28, 2002. Upon roll call, voting aye were Commissioners Berry, Reeves, Gunderson and Mayor Dunnigan. Nay - none. Motion passed.

RECESS:

Mayor Dunnigan declared the meeting recessed at 7:50 PM until June 2, 1998 at 6:00 PM.

A. R. DUNNIGAN, MAYOR

ATTEST:

DEBORAH D. MUSSER
CITY CLERK